

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

SolarCity Corporation,

Plaintiff,

v.

Salt River Project Agricultural
Improvement and Power District, et al.,

Defendants.

No. CV-15-00374-PHX-DLR

ORDER

Pending before the Court are Defendants' motions to dismiss. (Docs. 52, 53.) The Court has considered the motions and finds that oral argument will aid in the resolution of this matter. The parties should prepare to discuss the following questions:

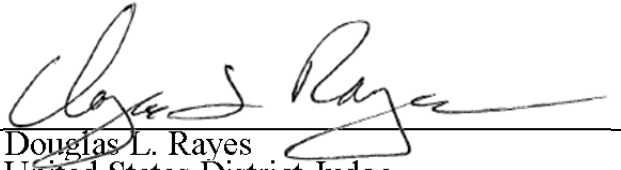
1. Is there any authority that the alter ego doctrine applies between a municipal corporation and a private corporation?
2. If so, does piercing the veil of a municipal corporation strip it of its governmental immunities? Is there any authority in support?
3. If the alter ego doctrine does not apply, what anticompetitive conduct did the Association allegedly engage in?
4. With whom is the alleged agreement to restrain trade? If it is with the purchasers of retail electricity, would that not subject them to penalties under the Sherman Act as conspirators? If a party to the agreement is unaware of the anticompetitive motive, how does it

1 constitute an *agreement* to restrain trade?

2 **IT IS ORDERED** that the parties shall appear for oral argument on the pending
3 motions to dismiss in Courtroom 506, 401 West Washington Street, Phoenix, AZ 85003,
4 before Judge Douglas L. Rayes on **October 14, 2015, at 2:00 PM.** Two hours will be
5 allotted, one hour per side.

6 **IT IS FURTHER ORDERED** that, to assist the court reporter, the parties shall
7 prepare and bring to the oral argument a Table of Authorities, in alphabetical order,
8 which includes all of the authorities on which the parties will rely during oral argument.

9 Dated this 5th day of October, 2015.

10
11
12
13 
14 Douglas L. Rayes
United States District Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28